

REMARKS

In view of the above amendments and the following remarks, reconsideration of the rejections contained in the Office Action of June 23, 2008 is respectfully requested.

By this Amendment, claims 7, 10, 12-15, 17-18, 22-23 and 27-29 have been amended, claims 1-6, 11, 16 and 24 have been cancelled and new claims 30-35 have been added. Thus, claims 7-10, 12-15, 17-23 and 25-35 are currently pending in the application. No new matter has been added by these amendments.

Revisions have been made to the specification, as indicated above. No new matter has been added by the revisions. Entry of the amendments to the specification is thus respectfully requested.

On page 2 of the Office Action, the Examiner rejected claims 7-9 under 35 U.S.C. § 112, second paragraph, as being indefinite. In particular, the Examiner notes that claim 7 recites an angle, but only recites one line which defines the angle, and does not recite a base line. Thus, the Examiner indicated that the rejection could be overcome by amending claim 7 to recite a base line. In this regard, it is noted that claim 7 has been amended to recite a base line, and to recite that "the base line is parallel to either a reactive component axis of the rectangular coordinates or a resistive component axis of the rectangular coordinates." Therefore, as claim 7 has been amended to recite a base line as required by the Examiner, it is respectfully submitted that the Examiner's rejection under § 112 is not applicable to amended claim 7.

On pages 11-12 of the Office Action, the Examiner indicated that claims 7-9 contain allowable subject matter, and would be allowed if amended so as to overcome the rejection under 35 U.S.C. § 112, second paragraph. As indicated above, claim 7 has been amended to recite a base line as required by the Examiner in order to overcome the § 112 rejection. Therefore, in view of the Examiner's indication of the allowability of claims 7-9, it is respectfully submitted that claims 7-9 are in condition for allowance. Further, it is noted that claim 27-35 depend from claim 7, and therefore it is respectfully submitted that claims 27-35 are also in condition for allowance, at least by virtue of their dependency from claim 7.

On page 12 of the Office Action, the Examiner indicated that claims 11, 12, 16, 17 and 24 contain allowable subject matter and would be in condition for allowance if rewritten into

independent form including all of the limitations of the base claim and any intervening claims. In order to place the claims into condition for allowance, it is noted that independent claims 10, 15 and 23 have been amended to include the limitations of claims 11, 16 and 24, respectively. Accordingly, in view of the Examiner's indication of the allowability of claims 11, 16 and 24, it is respectfully submitted that amended independent claims 10, 15 and 23 are in condition for allowance.

On pages 3-5 of the Office Action, the Examiner rejected claims 1, 2, 5, 6 and 27-29 under 35 U.S.C. § 102(b) as being anticipated by Li et al. (US 6,072,313). On page 5 of the Office Action, the Examiner rejected claim 10 under 35 U.S.C. § 102(b) as being anticipated by McClelland (US 6,369,566). Further, on pages 6-9 of the Office Action, the Examiner rejected claims 15, 18-21, 23, 25 and 26 under 35 U.S.C. § 102(b) as being anticipated by Lehman et al. (US 2004/0189290). On pages 9-10 of the Office Action, the Examiner rejected claims 1, 3 and 4 under 35 U.S.C. § 103(a) as being unpatentable over Tada et al. (JP 2003-106805) in view of Li. On page 11 of the Office Action, the Examiner rejected claim 22 under 35 U.S.C. § 103(a) as being unpatentable over Lehman in view of Li.

However, as indicated above, claims 1-6 have been cancelled. As also indicated above, independent claims 10, 15 and 23 have been amended to include the limitations of claims 11, 16 and 24, respectively. Accordingly, in view of the Examiner's indication of the allowability of claims 11, 16 and 24, it is respectfully submitted that amended independent claims 10, 15 and 23 are clearly patentable over the prior art of record.

Further, it is noted that claim 12 depends from independent claim 10, claims 17-22 depend from independent claim 15, and claims 25-26 depend from independent claim 23. Therefore, it is respectfully submitted that claims 12, 17-22 and 25-26 are also in condition for allowance, at least by virtue of their dependency from claims 10, 15 and 23.

On page 6 of the Office Action, the Examiner rejected claim 13 under 35 U.S.C. § 102(e) as being anticipated by Le (US 2005/0017712). Further, on pages 10-11 of the Office Action, the Examiner rejected claim 14 under 35 U.S.C. § 103(a) as being unpatentable over McClelland in view of Li. For the reasons discussed below, it is respectfully submitted that amended claims 13 and 14 are clearly patentable over the prior art of record.

Amended independent claim 13 recites an eddy current sensor comprising a sensor coil disposed near a conductive film formed on a substrate, a signal source configured to supply an AC signal to the sensor coil to produce an eddy current in the conductive film, a detection circuit operable to detect the eddy current produced in the conductive film based on an impedance as viewed from the sensor coil, a storage device operable to store a correction coefficient according to a deposition condition of the conductive film, and a controller configured to specify a point including a resistance component and a reactance component of the impedance in rectangular coordinates and to correct the point by the correction coefficient stored in the storage device. Further, claim 13 recites that *the controller is configured to remove a resistance component and a reactance component of the impedance due to a substrate material in the substrate having no conductive film, from measurement results, the resistance component and the reactance component of the impedance due to the substrate material in the substrate having no conductive film being previously measured.*

Le discloses a method of estimating thicknesses of conductive layers of a plurality of calibration samples. However, Le does not disclose *a controller which is configured to remove a resistance component and a reactance component of the impedance due to a substrate material in the substrate having no conductive film, from measurement results, the resistance component and the reactance component of the impedance due to the substrate material in the substrate having no conductive film being previously measured*, as required by amended independent claim 13. Therefore, it is respectfully submitted that independent claim 13 is not anticipated by Le, and therefore claim 13 is clearly patentable over the prior art of record. Further, it is noted that claim 14 has been amended so as to depend from claim 13, and therefore claim 14 is also patentable over the prior art of record, at least by virtue of its dependency from claim 13.

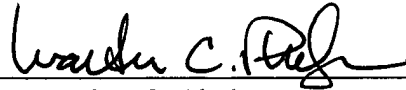
Therefore, it is respectfully submitted that independent claims 7, 10, 13, 15 and 23, as well as claims 8-9, 12, 14, 17-22 and 25-35 which depend therefrom, are clearly allowable over the prior art of record.

In view of the foregoing amendments and remarks, it is respectfully submitted that the present application is clearly in condition for allowance. An early notice to that effect is respectfully solicited.

If, after reviewing this Amendment, the Examiner feels there are any issues remaining which must be resolved before the application can be passed to issue, the Examiner is respectfully requested to contact the undersigned by telephone in order to resolve such issues.

Respectfully submitted,

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